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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,492	11/13/2003	Michael Stuart Weaver	UDC-20201 CON	8333
27774	7590	04/28/2005	EXAMINER	
MAYER, FORTKORT & WILLIAMS, PC 251 NORTH AVENUE WEST 2ND FLOOR WESTFIELD, NJ 07090			SCHILLINGER, LAURA M	
			ART UNIT	PAPER NUMBER
			2813	

DATE MAILED: 04/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

SM

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/712,492	WEAVER, MICHAEL STUART	
	<b>Examiner</b>	<b>Art Unit</b>	
	Laura M. Schillinger	2813	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-32 and 44-55 is/are pending in the application.
- 4a) Of the above claim(s) 1-32 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 44-55 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. ____.  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____.   | 6) <input type="checkbox"/> Other: ____.                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 44-55 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Silvernail ('351).

In reference to claim 44, Silvernail teaches a device comprising:

A substrate (Col.1, lines: 35-40);

An organic optoelectronic device (OOD) over the substrate, the OOD selected from a OLED, an OED, an OPD and an OTFT (Col.1, lines: 25-35); and

A barrier region disposed over the OOD, the barrier region comprising a plurality of cooperative barrier layers, the plurality of cooperative barrier layers further comprising a planarizing layer and a high-density layer, wherein the high-density layer is disposed over the planarizing layer in a manner such that the high-density layer extends to the substrate layer and, in conjunction with the substrate layer, completely surrounds the planarizing layer (Fig.6).

In reference to claim 45, Silvernail teaches wherein the plurality of cooperative barrier layers comprises two or more planarizing layers and two or more high-density layers and wherein each

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overlying cooperative barrier layer that is disposed over one or more underlying cooperative barrier layers extends to the substrate in a manner such that the one or more underlying cooperative barrier layers are surrounded by the substrate and each overlying cooperative barrier layer (Fig.6).

In reference to claim 46, Silvernail teaches wherein the cooperative barrier layers comprise an alternating series of two or more planarizing layers and two or more high-density layers (Fig.6).

In reference to claim 47, Silvernail teaches wherein the alternating series comprises 3 to 7 planarizing layers and 3 to 7 high density layers (Fig.6).

In reference to claim 48, Silvernail teaches wherein the planarizing layer comprises a material selected from fluorinated polymers, parylenes, cyclotenes and polyacrylates (Col.2, lines: 50-60).

In reference to claim 49, Silvernail teaches wherein the high-density layer comprises a material selected from metal oxides, metal nitrides, metal carbides, metals and metal oxynitrides (Col.5, lines: 30-45).

In reference to claim 50, Silvernail teaches wherein the high density layer comprises a material selected from SiO, SiN, AlO, ITO, ZITO (Col.5, lines: 35-45)

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In reference to claim 51, Silvernail teaches wherein the organic optoelectronic device is an OLED device (Col.1, lines: 25-35).

In reference to claim 52, Silvernail teaches wherein the substrate is rigid (Col.1, lines: 25-35).

In reference to claim 53, Silvernail teaches wherein the substrate is a flexible substrate (Col.1, lines: 25-35).

In reference to claim 54, Silvernail teaches wherein the substrate comprises metal foil (Col.1, lines: 25-35).

In reference to claim 55, Silvernail teaches wherein the substrate comprises a rigid glass layer (Col.1, lines: 25-35).

### ***Response to Arguments***

Applicant's arguments filed 2/15/05 have been fully considered but they are not persuasive. Applicant argues that the claim language is not anticipated by Silvernail because Silvernail fails to teach a barrier layer disposed over the OLED as claimed by the Applicant. Applicant points out that the barrier layer made of multiple layers is formed below the OLED. However, Applicant's argument does not address the additional layer 150 which is a barrier layer and may be construed as one of the multiple cooperative barrier layers and which is also formed

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over the OLED. Based upon layer 150 in combination with layer 120, Silvernail anticipates Applicant's claim language (See also Col.7, lines: 1-10).

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura M. Schillinger whose telephone number is (571) 272-1697. The examiner can normally be reached on M-T, R-F 7:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl W. Whitehead, Jr. can be reached on (571) 272-1702. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Laura M Schillinger". The signature is fluid and cursive, with a long horizontal stroke at the end.

Laura M Schillinger  
Primary Examiner  
Art Unit 2813

4/26/05